

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, February 19, 2009

10:00 AM

Board Room

Board of Commissioners

*Commissioner Frank Avila, Commissioner Patricia Horton, Chairman of Finance
Gloria Alitto Majewski, Commissioner Barbara J. McGowan, Vice-President Kathleen
Therese Meany, Commissioner Cynthia M. Santos, Commissioner Debra Shore,
President Terrence J. O'Brien*

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

Call Meeting to Order

President O' Brien presiding, called the meeting to order at 10:00 a.m.

Roll Call

Present: 7 - Frank Avila; Patricia Horton; Gloria Alitto Majewski; Kathleen Therese Meany; Barbara J. McGowan; Debra Shore; and Terrence J. O'Brien

Absent: 1 - Cynthia M. Santos

Approval of Previous Board Meeting Minutes

A motion was made by Gloria Allito Majewski, seconded by Barbara J. McGowan, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Board of Commissioners

At 11:10 a.m. President O'Brien reconvened the regular board meeting to order

Finance Committee

Report

- 1 [09-0231](#) Report on the Government Finance Officer's Association Distinguished Budget Presentation Award to the District for the 2008 Budget and Certificates of Achievement for Excellence in Financial Reporting to the District, the Retirement Fund, and to the Retiree Health Care Trust for the Fiscal Year 2007

 Published and Filed
- 2 [09-0278](#) Report on investments purchased during January 2009

 Published and Filed

Purchasing Committee

Report

- 3 [09-0242](#) Report of bid opening of Tuesday, February 3, 2009

 Published and Filed
- 4 [09-0243](#) Report of bid opening of Tuesday, February 10, 2009

 Published and Filed

- 5 [09-0251](#) Report on the correction of a typographical error in the board transmittal letter for issue purchase order and enter into an agreement with Lexington Lion Chicago GP LLC, for maintenance, operation, and capital repairs of the common areas located at 111 East Erie Street, in an amount not to exceed \$72,000.00, Account 101-15000-612390, Requisition 1259034

Published and Filed

- 6 [09-0271](#) Report on rejection of bids for Contract 09-958-11, Truck Repairs in the Stickney Service Area, estimated cost \$42,000.00

Published and Filed

- 7 [09-0273](#) Report on rejection of bids for Contract 08-430-11, Group A, Furnish and Deliver Thirty-Eight (38) Fleet Vehicles for Use by Various District Facilities, estimated cost \$185,000.00

Published and Filed

- 8 [09-0274](#) Report on rejection of bids for Contract 08-705-12, Furnishing and Delivering Heavy Equipment to the North Service Area, estimated cost \$50,000.00

Published and Filed

Authorization

- 9 [09-0250](#) Authorization to exercise an option to extend agreement for one year with West Publishing Corporation d/b/a Thomson West for on-line legal research, and increase the purchase order in an amount of \$56,544.00 from an amount of \$162,046.56 to an amount not to exceed \$218,590.56, Account 101-30000-612490, Purchase Order 3037307

Approved

- 10 [09-0261](#) Authorization to amend the board transmittal letter for Authority to advertise Contract 08-831-11 Services to Upgrade and Maintain the Elevator at the Calumet Water Reclamation Plant Pump and Blower Building, Account 101-68000-612680, Requisition 1240075

Approved

- 11 [09-0277](#) Authorization to increase cost estimate for Contract 09-934-11 Change-Out of Cooling Tower Media at the Stickney Water Reclamation Plant, from \$135,000.00, to \$185,000.00, Account 101-69000-612680, Requisition 1253614

Approved

Authority to Advertise

- 12 [09-0248](#) Authority to advertise Contract 09-836-11 Services to Maintain Sewage Pump Motors at the Calumet Water Reclamation Plant, estimated cost \$55,000.00, Account 101-68000-612600, Requisition 1266024
Approved
- 13 [09-0257](#) Authority to advertise Contract 09-769-11 Furnish, Deliver and Install Two Overhead Doors at the Hanover Park Water Reclamation Plant, estimated cost \$18,000.00, Account 101-67000-612680, Requisition 1264162.
Approved
- 14 [09-0259](#) Authority to advertise Contract 09-710-11 Services to Maintain and Repair Boilers, HVAC Equipment and Appurtenances in the North Service Area, estimated cost \$50,000.00, Account 101-67000-612680, Requisition 1265272
(As Revised)
Approved
- 15 [09-0264](#) Authority to advertise Contract 09-781-11 Remove and Replace Filter Media and Perform Miscellaneous Improvement of Tertiary Filters at the Hanover Park Water Reclamation Plant, estimated cost \$500,000.00, Account 101-67000-612650, Requisition 1264134
Approved
- 16 [09-0268](#) Authority to advertise Contract 09-433-11 Upgrade and Repair Low Pressure CO2 Fire System at the Lockport Powerhouse, estimated cost \$40,000.00, Account 101-15000-612780, Requisition 1261848
Approved
- 17 [09-0269](#) Authority to advertise Contract 09-055-11 Furnish and Deliver Pipe Covering and Insulation to Various Locations for a One (1) Year Period, estimated cost \$50,000.00, Account 101-20000-623170
Approved
- 18 [09-0276](#) Authority to advertise Contract 04-201-4F, Tollway Dam, Grout Curtain and Quarry Plugs, Thornton Composite Reservoir, estimated cost \$120,000,000.00, Account 401-50000-645620, Requisition 1267474
Approved

Issue Purchase Order

- 19 [09-0236](#) Issue Purchase Orders and Enter into Agreements for Contract 08-RFP-27 Legal Services for Workers' Compensation Defense, with Scopelitis, Garvin, Light, Hanson & Feary, P.C. in an amount not to exceed \$120,000.00, Dennis Noble & Associates, P.C. in an amount not to exceed \$120,000.00 and Neuson Law, P.C. in an amount not to exceed \$60,000.00. Account 101-30000-601170. Requisition 1267383, 1267385 and 1267386
Approved

- 20 [09-0244](#) Issue purchase order for Contract 09-830-11 Furnish and Deliver One New 45 Ton Hydraulic Truck Crane to the Calumet Service Area, to Walter Payton Power Equipment, LLC, in an amount not to exceed \$545,000.00, Account 101-68000-634760, Requisition 1253592

Approved

- 21 [09-0253](#) Issue purchase order to Landmark of Taylorville, Inc., for furnishing and delivering twelve fleet vehicles under the State of Illinois Joint Purchasing Contract No. 4015554, in an amount not to exceed \$200,904.00, Account 101-15000-634860, Requisition 1265966

Approved

Award Contract

- 22 [09-0241](#) Authority to award Contract 09-699-11, Services of Heavy Equipment with Operators for Material Handling at the Lawndale Avenue Solids Management Area and the Calumet Solids Management Area, Groups A and B, to M.A.T. Leasing, Inc., in an amount not to exceed \$485,000.00, Account 101-66000-612520 Requisitions 1254267 and 1252089

Approved

- 23 [09-0245](#) Authority to award Contract 09-636-11, Furnish and Deliver Hydrogen Peroxide and Maintain a Hydrogen Peroxide Injection System at the Stickney Water Reclamation Plant, to SWT Municipal Services, Business Div. of Siemens Water Technology Corp., in an amount not to exceed \$400,000.00, Account 101-69000-623560, Requisition 1256416

Approved

- 24 [09-0246](#) Authority to award Contract 09-821-11, Services to Rebuild Rotating Assemblies for the Calumet Water Reclamation Plant, to Pumping Solutions, Inc., in an amount not to exceed \$66,446.00, Account 101-68000-612600, Requisition 1256311

Approved

- 25 [09-0247](#) Authority to award Contract 09-711-11, for Services to Repair Boilers, Chillers, HVAC Equipment and Appurtenances at the Kirie Water Reclamation Plant, Groups A and B, to Anchor Mechanical, Inc., in an amount not to exceed \$150,000.00, Account 101-67000-612680 Requisition 1259075

Approved

Increase Purchase Order/Change Order

- 26 [09-0235](#) Authority to decrease purchase order to Thomson West to Furnish and Deliver various legal publications, CD Roms and updates thereto for the 2006 and 2007 calendar years in an amount of \$1,248.45, from an amount of \$58,000.00 to an amount not to exceed \$56,751.55, Account 101-30000-623720, Purchase Order 3036347

Approved

- 27 [09-0239](#) Authority to increase purchase order and amend the agreement with Westin Engineering, Inc., for professional services for advisory services during the Information Technology Strategic Plan Initiation Phase in an amount of \$225,000.00, from an amount of \$400,000.00, to an amount not to exceed \$625,000.00, Account 101-27000-601170, Purchase Order 3047658

Approved

- 28 [09-0249](#) Authority to decrease Contract 07-876-11 Roof Replacement, Repair and Maintenance in the Calumet Water Reclamation Plant, to Knickerbocker Roofing and Paving Co., Inc., in an amount of \$52,630.00, from an amount of \$361,300.00, to an amount not to exceed \$308,670.00, Account 101-68000-612680, Purchase Order 5000796

Approved

- 29 [09-0252](#) Authority to decrease Contract 07-810-11 Services to Clean, Inspect and Repair Boilers and Heating Systems in the Calumet Water Reclamation Plant Area, to Independent Mechanical Industries, Inc., in an amount of \$32,969.06, from an amount of \$297,148.00, to an amount not to exceed \$264,178.94, Account 101-68000-612680, Purchase Order 5000751

Approved

- 30 [09-0255](#) Authority to increase Contract 04-824-2P, Tertiary Filter Rehabilitation, Pump VFDs & Other Plant Improvements at the Egan, Hanover Park and Kirie Water Reclamation Plants, with IHC Construction Companies, LLC, in an amount not to exceed \$58,245.11, from an amount of \$16,144,695.85 to an amount not to exceed \$16,202,940.96, Accounts 401-50000-645650 and 645750, Purchase Order 5000803

Approved

- 31 [09-0258](#) Authority to increase purchase order and amend the agreement with Smith Maintenance Company, for Emergency Janitorial Services in an amount of \$125,000.00, from an amount of \$25,000.00, to an amount not to exceed \$150,000.00, Accounts 101-15000-612370 and 612390, Purchase Order 5000969

Approved

- 32 [09-0260](#) Authority to increase purchase order and amend the agreement with Black & Veatch LLP for professional services for the Ultraviolet Disinfection Study Support Services, in an amount of \$15,000.00, from an amount of \$9,832.00 to an amount not to exceed \$24,832.00, Account 201-50000-601410, Purchase Order 8005000
Approved
- 33 [09-0262](#) Authority to increase purchase order and amend the agreement with Malcolm Pirnie, Inc. for professional services for the Ultraviolet Disinfection Study Support Services, in an amount of \$15,000.00, from an amount of \$9,820.00 to an amount not to exceed \$24,820.00, Account 201-50000-601410, Purchase Order 8005001
Approved
- 34 [09-0263](#) Authority to increase purchase order and amend the agreement with Montgomery Watson Harza for professional services for the Ultraviolet Disinfection Study Support Services, in an amount of \$15,000.00, from an amount of \$9,825.00 to an amount not to exceed \$24,825.00, Account 201-50000-601410, Purchase Order 3050514
Approved
- 35 [09-0272](#) Authority to increase purchase order and amend the agreement with the law firm of Barnes & Thornburg, for legal services in the pending rulemaking before the Illinois Pollution Control Board, in an amount of \$200,000.00, from an amount of \$600,000.00, to an amount not to exceed \$800,000.00, Account 101-30000-601170, Purchase Order 3049607
Approved
- 36 [09-0275](#) Authority to decrease Contract 93-232-2M, Hydraulic Improvements at the Calumet Water Reclamation Plant with IHC Construction/FHP Tectonics, Joint Venture, in an amount of \$32,466.98 from an amount of \$120,954,568.11 to an amount not to exceed \$120,922,101.13, Accounts 401-50000-645650 and 645750, Purchase Order 5000623
Approved
- 37 [09-0279](#) Authority to decrease purchase order and amend the agreement with Matthew W. Cockrell & Associates, P.C. for out-of-pocket costs and expenses in connection with an environmental cost recovery action against insurance carriers for property at 5200 West 41st Street in Cicero, Illinois, formerly leased to Sweeney Oil Company, in an amount of \$14,132.24, from an amount of \$40,000.00, to an amount not to exceed \$25,867.76, Account 101-30000-601170, Purchase Order 3029999
Approved

- 38 [09-0281](#) Authority to decrease purchase order for Contract 03-RFP-16, Legal Services for Workers' Compensation Defense to Dennis Noble & Associates, P.C., in an amount of \$13.57 from an amount of \$131,499.66 to an amount not to exceed \$131,486.09. Account 101-30000-601170, Purchase Order 3025274

Approved

- 39 [09-0283](#) Authority to decrease purchase order for Contract 03-RFP-16, Legal Services for Workers' Compensation Defense to John S. Magiera, LLC, in an amount of \$82.93 from an amount of \$219,073.97 to an amount not to exceed \$218,991.04. Account 101-30000-601170, Purchase Order 3025276

Approved

Engineering Committee

Report

- 40 [09-0238](#) Report on change orders authorized and approved by the Director of Engineering during the month of January 2009

Published and Filed

Judiciary Committee

Report

- 41 [09-0265](#) Report on the Release of Executive Session Transcripts

Published and Filed

Authorization

- 42 [09-0232](#) Authority to settle the Workers' Compensation Claim of Dan Ruhl vs. MWRDGC, File No. 0200003466, Illinois Workers' Compensation Commission in the sum of \$35,291.79. Account 901-30000-601090

Approved

- 43 [09-0234](#) Authority to settle the Workers' Compensation Claim of Reuben Johnson-Bey vs. MWRDGC, IWCC #08WC 15218, Illinois Workers' Compensation Commission in the sum of \$48,283.79. Account 901-30000-601090

Approved

- 44 [09-0237](#) Authority to settle the Workers' Compensation Claim of Jerry Kain vs. MWRDGC, IWCC #07WC 06982, Illinois Workers' Compensation Commission in the sum of \$68,808.75. Account 901-30000-601090

Approved

- 45 [09-0267](#) Authorization to settle Payment Dispute Claim with Universal System Technologies Inc. against the District related to Contract 07-RFP-10 Provide SAP Consulting and Configuration Services for a Three Year Period, for a final payment of \$225,000.00, Account 101-27000-601170, Purchase Order 3049863
- Approved**

Real Estate Development Committee

Authorization

- 46 [09-0240](#) Authority to issue a 6-month permit to Shore Community Services, Inc. for approximately 2.58 acres of District real estate located at 2525 Church Street in Evanston, Illinois, c/k/a North Shore Channel Parcel 3.04, for the continued use as a school for persons with developmental disabilities. Consideration shall be a nominal fee of \$10.00 *(As Revised)*
- Approved**

Miscellaneous and New Business

Memorial Resolution

- 47 [09-0280](#) MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to the family of Manuel Ramirez
- Moved by Frank Avila, seconded by Kathleen Therese Meany*
- Adopted**

Resolution

- 48 [09-0233](#) RESOLUTION sponsored by the Board of Commissioners recognizing Commissioner Patricia Young's service to the District
- Moved and seconded by the Board of Commissioners*
- Adopted**

Approval of the Consent Agenda with the exception of Items: no exceptions

A motion was made by Gloria Alitto Majewski, seconded by Barbara J. McGowan, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 7 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Kathleen Therese Meany, Barbara J. McGowan, Debra Shore, Terrence J. O'Brien

Absent: 1 - Cynthia M. Santos

Meeting Summary

Speakers

Jeff Esser, CEO of Government Finance Officer's Association presented the Distinguished Budget Presentation Award to the District for the 2008 Budget and Certificates of Achievement for Excellence in Financial Reporting to the District, the Retirement Fund, and to the Retiree Health Care Trust for the Fiscal Year 2007. (Re: Finance Item 1)

George Blakemore, a private citizen, inquired about law firm of Barnes & Thornburg's racial demographics. (Re: Purchasing Item 35)

Jerry Gulley, Executive Director and Meredith Murry, Volunteer Board President of Shore Community Services, Inc. requested that the services the center provides be taken into consideration when renewing their lease. (Re: Real Estate Item 46)

George Blakemore, a private citizen, inquired about Shore Community Services, Inc. demographics of staff and the individuals being assisted. (Re: Real Estate Item 46)

Joe Ramirez, son of Manuel Ramirez, accepted the memorial resolution on behalf of his family. (Re: Miscellaneous and New Business Item 47)

Patricia Young accepted the resolution recognizing her service as a commissioner of the District. (Re: Miscellaneous and New Business Item 48)

George Blakemore, a private citizen, is looking forward to the District's display and resolutions honoring Black History Month. Also inquired whether District vehicles are equipped with tracking devices.

Announcements

Jill Horist announced that the 2009 African American History Celebration Honoring Black Engineers and the Underground Railroad will be held on Friday, February 27, 2009 at 4:45 p.m. - 6:45 p.m. in the Main Office Building Board Room.

Summary of Requests

Study Session

A Study Session is scheduled for Thursday, March 5, 2009 at 2 p.m. to discuss biosolids. (Re: Maintenance and Operations).

Board Letter Submission Dates

The next regular board meeting is scheduled for March 5, 2009, please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: February 23, 2009

Date Board letters are due to the Executive Director: 1:00 p.m., February 26, 2009

Adjournment

A motion was made by Gloria Allita Majewski, seconded by Kathleen Therese Meany, that when the Board adjourns it adjourns to meet on Thursday, March 5, 2009, at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote:

/s/ Jacqueline Torres
Clerk

Aye: 7 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Kathleen Therese Meany, Barbara J. McGowan, Debra Shore, Terrence J. O'Brien

Absent: 1 - Cynthia M. Santos

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this February 19, 2009, are hereby approved.

APPROVED:

/s/ Terrence J. O'Brien

President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago

February 19, 2009